

Before the State of South Carolina
Department of Insurance

In the matter of:)	
)	File Number 1999217-004-036
Michael J. Ingram,)	
)	Consent Order
3437 Bocage Drive, #513)	Allowing Licensure of Nonresident Adjuster
Orlando, Florida 32812.)	
_____)	

This matter comes before me pursuant to an agreement entered into between the South Carolina Department of Insurance and Michael J. Ingram, a non-resident adjuster formerly licensed to transact business in the State of South Carolina.

Upon review of this matter, I hereby find as fact that Ingram was one of several adjusters who the Department discovered to have failed to provide a current address as required by S.C. Code Ann. § 38-47-15 (Supp.1999). The Department attempted to contact Ingram about this matter via Letter of Allegation and Notice of Opportunity for Public Hearing served, as required within S.C. Code Ann. § 38-3-170 (Supp. 1999), by both certified mail, return receipt requested, and by regular mail. That letter warned Ingram that failure to make a timely, written response would result in my summary revocation of his license to do business as a resident insurance adjuster within the State of South Carolina. Despite that warning, Ingram failed to respond to the Department's letter, and his non-resident adjuster's license was revoked by default on October 1, 1999.

Since then, Ingram has expressed a desire to reinstate his license. Ingram contends this problem resulted from inadvertence and oversight and not from any intent to avoid the requirements of South Carolina law. He and the Department agreed to submit the entire matter to me, along with their specific recommendation, for my summary decision. The consensual recommendation was that the Department would vacate the previous revocation order and allow Ingram to reapply for reinstatement of his non-resident insurance adjuster license upon his payment of an administrative penalty in the total amount of \$250.

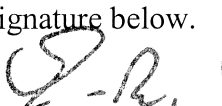
After a thorough review of the record, and pursuant to my findings of fact, I hereby conclude as a matter of law, that Ingram did not comply with the requirements of § 38-47-15 of the South Carolina Code. As a result, the administrative action previously taken against his resident insurance agent license was proper. However, under the discretionary authority provided to me within §§ 38-47-70 and 38-2-10, and after carefully considering the recommendation of the parties, I hereby impose against Ingram an administrative penalty in the total amount of \$250. If Ingram pays that penalty within ten days of the date of my signature upon this consent order, the October 1, 1999 revocation order will be vacated, and he will be allowed to apply immediately for reinstatement of his non-resident insurance adjuster license.

The parties have reached this agreement in consideration of the Department having never taken any administrative disciplinary action against Ingram before and of his assurance that in the future he will comply with the state's insurance laws. The parties expressly agree and understand Ingram's payment of the agreed-upon penalty constitutes full accord and satisfaction of this disciplinary matter.

This administrative order is a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. §§ 30-4-10, *et seq.* (1991 and Supp. 1999). Nothing contained within this administrative order should be construed to limit, or to deprive any person of, any private right of action under the law. Nothing contained within this administrative order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement officer or judicial officer. Nothing contained within this administrative order should be construed to limit the statutory duty, pursuant to S.C. Code Ann. § 38-3-110 (Supp. 1999), of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the laws relative to the business of insurance or the provisions of this title which he considers necessary to report."

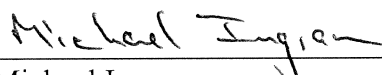
It is, therefore, ordered that Michael J. Ingram be allowed to apply for reinstatement of his license to transact business as a nonresident insurance adjuster within the State of South Carolina upon his payment of a \$250 administrative penalty. It is further ordered that a copy of this order shall be transmitted to the National Association of Insurance Commissioners for distribution to its current member states.

This order becomes effective as of the date of my signature below.


Ernst N. Csiszar
Director

November 17, 2000 at
Columbia, South Carolina

I CONSENT:


Michael Ingram
3437 Bocage Drive, #513
Orlando, Florida 32812

Dated this 17 day of November, 2000

